UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P O Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,273	07/07/2003	Harry R. Haury	83198-007	7733

29493   7590   05/29/2009
HUSCH BLACKWELL SANDERS LLP
190 CARONDELET PLAZA
SUITE 600
ST. LOUIS, MO 63105-3441

EXAMINER
HAMZA, FARUK

ART UNIT	PAPER NUMBER
2455	

MAIL DATE	DELIVERY MODE
05/29/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/614,273	HAURY, HARRY R.
Office Action Summary	Examiner	Art Unit	
	FARUK HAMZA	2455	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _20 November 2008_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-34_ is/are pending in the application.

    4a) Of the above claim(s) _18-34_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-17_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _07 July 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _7/7/03_.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20090510

DETAILED ACTION

1.   This action is responsive to the communication filed on November 20,

2008. The attorney of record Dennis Donahue elected species I (claims 1-17) on

a telephone call on November 06, 2008. Claims 1-34 are pending. The applicant

is respectfully requested to cancel the withdrawn claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

2.   Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by

Skeen et al. (U.S. Patent Number 5,966,531) hereinafter referred as Skeen.

As to claim 1, Skeen teaches a method for peer-to-peer messaging

between network resources comprising: communicating with a first process by

writing a first text file in a first scratch space, where the first text file describes at

least one of at least a first set of information that a second process has

generated and at least a first action to be performed on the first set of

information; detecting, by a first arbiter, the first text file, wherein the first arbiter

is implemented by the first process; and performing at least one of:

implementing, by the first arbiter, the first action; and applying, by the first arbiter,

logic embedded within the first arbiter to determine actions to be performed on

the first text file (Column 8, lines 7-32, Column 9, lines 36-67, Column 14, lines

13-Column 15, lines 67).

As to claim 2, Skeen teaches a method in accordance with claim 1

wherein communicating with the first process comprises communicating with the

first process by writing an American standard code for information exchange

(ASCII) file (Column 15, lines 47-67).

As to claim 3, Skeen teaches a method in accordance with claim 2

wherein communicating with the first process by writing the ASCII file comprises

communicating with the first process by writing one of a hypertext markup

language (HTML) file, an extensible HTML (XML) file, a multipurpose internet

mail extensions (MIME) file, a .NET file, and a simple object access protocol

(SOAP) file in the first scratch space (Column 15, lines 47-67).

As to claim 4, Skeen teaches a method in accordance with claim 1

wherein applying, by the first arbiter, logic embedded within the first arbiter

comprises at least one of: moving the first text file to a second scratch space;

moving the first set of information to the second scratch space; and obtaining

index information from the first text file and moving images associated with the

index information into a storage repository (Column 14, lines 13-Column 15, lines

67).

As to claim 5, Skeen teaches a method in accordance with claim 1 further comprising encoding the first set of information within the first text file (Column 36, lines 38-40).

As to claim 6, Skeen teaches a method in accordance with claim 1 further comprising referencing the first set of information as being in an external file (Column 4, lines 13-20).

As to claim 7, Skeen teaches a method in accordance with claim 1 further comprising: enabling, by the first process, an input from a user; and writing the input to at least one of the first text file and a second text file in the first scratch space (Column 12, lines 15-62).

As to claim 8, Skeen teaches a method in accordance with claim 1 wherein communicating with the first process comprises communicating with an image display process by writing the first text file in the first scratch space (Column 9,lines 59-67).

As to claim 9, Skeen teaches a method in accordance with claim 1 wherein communicating with the first process comprises communicating with the first process by writing the first text file in the first scratch space, wherein the first text file describes at least one of an image that a scanning process has generated and the first action to be performed on the image (Column 40, lines 1-9).

As to claim 10, Skeen teaches a method in accordance with claim 1 further comprising: reading, by the first arbiter, instructions within the first text file (Column 15, lines 46-67).

As to claim 11, Skeen teaches a method in accordance with claim 1 wherein applying, by the first arbiter, logic embedded within the first arbiter comprises determining whether data that is referenced by the first text file as being in a second text file should be processed (Column 14, lines 13-Column 15, lines 67).

As to claim 12, Skeen teaches a method in accordance with claim 1 further comprising: communicating with a third process by writing a second text file in a second scratch space, wherein the second text file describes at least one of a second set of information that the first process has displayed and a second action to be performed on the second set of information; detecting, by a second arbiter, the second text file, wherein the second arbiter is implemented by the third process; and performing at least one of: implementing, by the second arbiter, the second action; and applying, by the second arbiter, logic embedded within the second arbiter to determine actions to be performed on the second text file (Column 8, lines 7-32, Column 9, lines 36-67, Column 14, lines 13-Column 15, lines 67).

As to claim 13, Skeen teaches a method in accordance with claim 1 further comprising: specifying a format of the first text file; and changing the format of the first text file to the specified format (Column 14, lines 35-48).

As to claim 14, Skeen teaches a method in accordance with claim 13 where changing the format of the first text file includes one of: converting the first text file from a plain text file to a hypertext markup language (HTML) file; and converting the first text file from a simple object access protocol (SOAP) to a NET file; and restructuring data within the first text file (Column 14, lines 35-67).

As to claim 17, Skeen teaches a method in accordance with claim 1 further comprising applying, by the first arbiter, at least one of a File Transfer Protocol (FTP), a Hypertext Transfer Protocol (HTTP), and a file services network protocol to move the first text file between network resources (Column 7, lines 20-40).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skeen and further in view of Gormish et al. (U.S. Patent Number 5,692,048) hereinafter referred as Gormish.

As to claim 15, Skeen teaches messaging between network resources (Column 8, lines 7-32).

Skeen does not explicitly teach the claim limitation of requesting a public key from an authority; encrypting a portion of the first text file by using the public

key; signing the portion; transmitting the portion and the public key to a second

scratch space; and requesting an authentication of a second process that

received the portion and the public key.

However, Gormish teaches the claim limitation of requesting a public key

from an authority; encrypting a portion of the first text file by using the public key;

signing the portion; transmitting the portion and the public key to a second

scratch space; and requesting an authentication of a second process that

received the portion and the public key (Column 5, lines 1-38, Column 9, lines

13-33).

It would have been obvious to the ordinary skill in the art at the time of the

invention to modify Skeen by adding functionality for requesting a public key and

encrypting a portion of a file, which would secure the communication. One would

be motivated to do such to enhance system's security.

As to claim 16, Skeen teaches messaging between network resources

(Column 8, lines 7-32).

Skeen does not explicitly teach the claim limitation of requesting an

authentication of the digital signature; further transmitting the portion from the

second process to a service on obtaining the authentication of the second

signature; decrypting the portion using a private key; and sending the decrypted

portion from the service to the second process.

However, Gormish teaches the claim limitation of requesting an

authentication of the digital signature; further transmitting the portion from the

second process to a service on obtaining the authentication of the second

signature; decrypting the portion using a private key; and sending the decrypted

portion from the service to the second process (Column 5, lines 1-38, Column 9,

lines 13-33).

It would have been obvious to the ordinary skill in the art at the time of the

invention to modify Skeen by adding functionality for transmitting portion of file

and decrypting it by using private key, which would secure the communication.

One would be motivated to do such to enhance system's security.

Examiner's Note: Examiner has cited particular columns and line

numbers in the references as applied to the claims above for the convenience of

the applicant. Although the specified citations are representative of the teachings

of the art and are applied to the specific limitations within the individual claim,

other passages and figures may apply as well. It is respectfully requested from

the applicant in preparing responses, to fully consider the references in its

entirety as potentially teaching of all or part of the claimed invention, as well as

the context.

4.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Faruk Hamza whose telephone number is

571-272-7969. The examiner can normally be reached on Monday through

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

Group Art Unite 2455

/Faruk Hamza/
Examiner, Art Unit 2455